Substitute for Form PTO-1390	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
	TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	017753-201
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO. PCT/IB03/03213	INTERNATIONAL FILING DATE June 11, 2003	PRIORITY DATE CLAIMED June 11, 2002 (earliest)

TITLE OF INVENTION

STEALTH LIPID NANOCAPSULES, METHODS FOR THE PREPARATION THEREOF, AND USE THEREOF AS A CARRIER FOR ACTIVE PRINCIPLE(S)

APPLICANT(S) FOR DO/EO/US

Didier HOARAU, Pascal DELMAS and Jean-Christophe LEROUX

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission to items concerning a filing under 35 U.S.C. 371.

2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.

4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).

5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))

    a. ☐ is attached hereto (required only if not communicated by the International Bureau).

    b. ☐ has been communicated by the International Bureau.

    c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))

    a. ☐ is attached hereto.

    b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

    a. ☐ are attached hereto (required only if not communicated by the International Bureau).

    b. ☐ have been communicated by the International Bureau.

    c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.

    d. ☐ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 21 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☐ A FIRST preliminary amendment.

14. ☐ A SECOND or SUBSEQUENT preliminary amendment.

15. ☐ A substitute specification.

16. ☐ A change of power of attorney and/or address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.

18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☒ Other items or information: Form PTO-1449 and copies of 17 references, International Search Report and International Preliminary Examination Report and Application Data Sheet

21. ☐   Applicant(s) requests that the published application include the following assignment information: _____

	CALCULATIONS PTO USE ONLY

22. ☒   The following fees are submitted:

Basic Filing Fee (1631)					$ 0.00	
Surcharge of **$130.00 (1617)** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					$ 130.00	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	$		
Total Claims	-20 =	0	X $50.00 (1615)		$ 0.00	
Independent Claims	- 3 =	0	X $200.00 (1614)		$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $360.00 (1616)			
Examination Fee			+ $200.00 (1633)		$ 0.00	
Search Fee			+ $500.00 (1632)		$ 0.00	

App. Size Fee (add $250.00 for each add'l 50 sheets exceeding 100 sheets)		
TOTAL OF ABOVE CALCULATIONS =	$ 130.00	
☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. +	$ 0.00	
SUBTOTAL =	$ 130.00	
Processing fee of **$130.00 (1618)** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	$ 0.00	
TOTAL NATIONAL FEE =	$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00 (8021)** per property +		
TOTAL FEES ENCLOSED =	$ 130.00	
	Amount to be refunded :	
	charged :	

a. ☒ A check in the amount of $ 130.00   to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No.   02-4800   in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No.   02-4800 . A duplicate copy of this sheet is enclosed.

d. ☐ Charge _____ to credit card. Form PTO-2038 is attached.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Mary Katherine Baumeister
SIGNATURE

Mary Katherine Baumeister
NAME

26,254	March 10, 2005
REGISTRATION NO.	DATE

03/16/2005 SNAJARRD 00000112 10518173
01 FC:1617   130.00 OP
02 FC:1206   1000.00 OP
Page 2 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE   Rec'd PCT/PTO   **10 MAR 2005**

MAIL STOP PCT

In re Patent Application of

Didier HOARAU et al.   Group Art Unit:

Application No.:   Examiner:

Filing Date: Confirmation No.:

Title: STEALTH LIPID NANOCAPSULES, METHODS FOR THE PREPARATION THEREOF, AND USE THEREOF AS A CARRIER FOR ACTIVE PRINCIPLE(S)

     National Stage of International Appln. No. PCT/IB03/03213
     Filed: June 11, 2003   Earliest Priority Date: June 11, 2002

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

~~Enclosed is a reply for the above identified patent application.~~

☐   A Petition for Extension of Time is also enclosed.

☐   Terminal Disclaimer(s) and the ☐ $65.00 (2814)   ☐ $130.00 (1814)   fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☒   ~~Also enclosed is/are~~ Enclosed is a Second Preliminary Amendment _____

_____
_____
_____
_____
_____
_____

☐   Small entity status is hereby claimed.

☐   Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the
     ☐ $395.00 (2801)   ☐ $790.00 (1801)   fee due under 37 C.F.R. § 1.17(e).

☐   Applicant(s) requests that any previously unentered after final amendments <u>not</u> be entered.
     Continued examination is requested based on the enclosed documents identified above.

☐   Applicant(s) previously submitted _____
_____
_____

     on _____ ,
     for which continued examination is requested.

☐   Applicant(s) requests suspension of action by the Office until at least _____ ,
     which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R.
     § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐   A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

☐ No additional claim fee is required.

☒ An additional claim fee is required, and is calculated as shown below.

	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
AMENDED CLAIMS					
Total Claims	72	MINUS 52 =	20	x $50.00 (1202) =	$ 1000.00
Independent Claims	1	MINUS 3 =	0	x $200.00 (1201) =	$ 0.00
If Amendment adds multiple dependent claims, add $360.00 (1203)					
Total Claim Amendment Fee					$ 1,000.00
☐ Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					**$ 1,000.00**

☒ A check in the amount of _$ 1,000.00_ is enclosed for the fee due.

☐ Charge _____ to Deposit Account No. 02-4800.

☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By _Mary Katherine Baumeister_

Date: March 10, 2005

Mary Katherine Baumeister
Registration No. 26,254